

1 air over the last four decades are --

2 COMMISSIONER ABERNATHY: You're winding
3 up, right?

4 MR. PAPPAS: I'm winding up. As struggling
5 independents, have successful daily local newscasts
6 and regular public affairs programming. And just last
7 week, we joined many others in our industry in
8 announcing our Election 2004 Voter Awareness
9 Initiative, a public service campaign of enhanced
10 candidate and issue coverage in the 30 days preceding
11 Election Day 2004. And as part of this initiative,
12 all of our stations that are news producing will
13 devote a minimum of five minutes per day to election
14 issues and candidate coverage within our newscasts.

15 Localism is the bedrock of broadcast
16 regulation, and it's a tribute to the genius of
17 Congress that it designed a broadcast system to assure
18 that local stations in local communities, not network
19 executives in Hollywood or New York, would pick the
20 programs for those communities.

21 The emphasis on localism and diversity is
22 what made American broadcasting the envy of the free

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1 world.

2 (Applause.)

3 MR. PAPPAS: Free over-the-air local TV has
4 served communities across America well. With your
5 continued support, and yours, we'll continue to
6 provide free TV service that reflects the needs and
7 interest of local communities for a long time to come.

8 Thank you.

9 COMMISSIONER ABERNATHY: Thank you, Mr.
10 Pappas. We're fortunate Mr. Pappas is also willing, he
11 spends time in Washington working with us, educating
12 us, so thank you again. And now we'll hear from Mr.
13 Connolly about his concerns. Thank you.

14 MR. CONNOLLY: Thank you. I want to
15 express my appreciation both to the Commissioners and
16 the Commission Staff for the honor of appearing here
17 tonight and discussing these important issues.

18 In seeking broad public participation in
19 the discussion surrounding this critical public policy
20 issue, however belatedly, the Commission is
21 acknowledging the tremendous challenge faced in
22 balancing corporate hunger for deregulation against

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1 society's right to demand that the public airwaves be
2 used to serve and protect our local communities, our
3 artistic communities, and the free flow of information
4 that underpins our democracy.

5 There can be no doubt that localism and
6 the public interest are inextricably linked. In my
7 role as President of the American Federation of
8 Television and Radio Artists, I'll attempt to
9 adequately articulate grave concerns of our nearly
10 80,000 members who work in the media as broadcast
11 journalists, actors, recording artists, and other
12 entertainers, as well.

13 We have a lot of concerns about the
14 continued erosion of regulatory framework in the
15 broadcast industry. And I submit that the central
16 question to be answered in this entire process is
17 whether market-driven forces alone can ever
18 sufficiently protect the needs and interests of local
19 communities and individual artists, or whether an
20 unregulated marketplace will ultimately sacrifice the
21 free exchange of ideas representing diverse viewpoints
22 on the altar of the corporate bottom line.

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1 AFTRA, along with Communications Workers
2 of America, the Newspaper Guild, NABET, the
3 Technicians Union and the Writers Guild of America
4 East, representing some half-million media workers,
5 conducted a survey of a broad cross-section of print
6 and broadcast news professionals, and the results are
7 quite informative.

8 Notwithstanding the seismic shift in their
9 industry and the commensurate threat to their very own
10 livelihood, this group of workers and artists
11 overwhelmingly expressed concern not about their self
12 interest, but rather about the loss of integrity and
13 diversity in news coverage as a direct result of
14 industry consolidation.

15 These workers surveyed overwhelmingly
16 cited an increased emphasis on the bottom line, a
17 declining quality of community coverage, too little
18 focus on complex issues, and the ever-growing
19 influence of ratings, or circulation in the newspaper
20 business, on coverage and programming decisions. We
21 released the survey yesterday morning at the United
22 States Capitol.

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1 When asked to predict the likely impact of
2 further deregulation, 80 percent noted that it would
3 be likely negative. Eighty-six percent cited less
4 diversity of viewpoints in local news coverage, 86
5 percent thought control of news and programming
6 decisions would be concentrated in even fewer, too few
7 corporate hands, 79 percent predicted growing
8 corporate bias in the news, and 78 percent feared a
9 general and continuing decline of news quality.
10 Seventy-five percent of these views in broadcast
11 workers surveyed have worked in the media field for
12 more than 10 years, and more than 50 percent of them
13 have been affected directly by changes in ownership
14 due to consolidation within the past 5 years.

15 Commissioners might want to follow-up our
16 survey results with further interviews with broadcast
17 journalists and workers, but you should consider
18 making provision to protect the identity of those
19 workers who would come forward, because unfortunately,
20 many of our members, both those we interviewed and
21 others, are already fearful of openly disagreeing with
22 the new deregulatory orthodoxy; such as, single news

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1 rooms and duopoly situations, etc. They fear for
2 their jobs.

3 Now one might conclude that these results
4 evidence little more than fear of change among
5 entrenched union members and the unions themselves,
6 but I submit that there are a number of concrete
7 decisions being made in corporate boardrooms
8 throughout this nation that give credence to all the
9 concerns that we've raised. And I'd like to express a
10 few tonight.

11 One familiar to many of us is voice
12 tracking in radio. It has been demonstrated again and
13 again that distant programming disguised as local
14 programming actually corrodes local service in many
15 radio markets, unfortunately.

16 (Applause.)

17 MR. CONNOLLY: Clear Channel Radio is the
18 greatest example of this, owning over 1,250 stations,
19 close to 70 percent of Clear Channel's radio
20 broadcasts are voice-tracked from distant locations.
21 Now if you're voice-tracking 1,200 stations or close
22 to it with distant production, that is not local

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1 production.

2 In addition, this is now leaking over into
3 the television business, with experiments like
4 Sinclair Television creating central-casting. The
5 television equivalent of voice-casting, where news and
6 weather is being broadcast from a single national
7 facility.

8 I'll wrap-up by just going to a final
9 comment. Essentially, our unions and our members,
10 and, I think, the public is urging a full schedule of
11 Commission hearings like this one.

12 (Applause.)

13 MR. CONNOLLY: Hopefully, I don't mean to
14 be churlish, but hopefully with the Chairman present.
15 And these hearings, we believe, should examine every
16 aspect of ownership regulation, localism, and
17 diversity in program and voices, touching every corner
18 of our country, and listening to the unprecedented
19 millions of voices that have already been raised in
20 alarm at the fraying of our media democracy, which is
21 so crucial to the politics and integrity of our
22 republic. Thank you.

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1 COMMISSIONER ABERNATHY: Thank you very
2 much, Mr. Connolly. I think you struck a chord with
3 the audience, and I want to also say thanks for the
4 survey data. Again, that's the kind of information
5 that we need as we move forward and decide where we go
6 from here, so thank you again for taking the time and
7 for your presentation. And now I'd like to introduce
8 Kathy Baker, and have her make her presentation.

9 MS. BAKER: Thank you very much. Good
10 evening, Commissioners, ladies and gentlemen. I'm
11 pleased to be here tonight speaking about how
12 broadcasters serve their local communities, and how my
13 stations in particular fulfill that role.

14 I've been involved with local media in the
15 Monterey market for over 24 years. I've been the
16 General Manager of K WAV for 16 years, and KIDD for 9
17 years, in addition to my duties as General Manager in
18 Monterey. I'm the Executive Vice President for
19 Buckley Radio Overseas Stations in California, and I
20 was the Chairman for the California Broadcasters
21 Association in 2003.

22 K WAV and KIDD are privately owned. Our

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1 parent company, Buckley Radio, owns 10 stations in
2 California and 9 stations on the East Coast. This in
3 many ways translates to answering to Main Street and
4 not Wall Street. The company's philosophy has always
5 been to be involved in local communities.

6 At my stations, we invest in enough
7 personnel and resources to keep that mission alive.
8 And we believe that it's just smart business and what
9 the community looks for in their local radio stations.
10 Being local creates a relationship with the audience
11 and, therefore, makes for a successful business. It
12 is not only the right way to be, but the smart way to
13 be.

14 I was born on the Monterey Peninsula, and
15 you don't get any more local than that. My concern
16 for the community and our radio stations' audience
17 carries over to my personal philosophy in running a
18 radio station that the things that are important to
19 the people that live and work in the community.

20 When Buckley Radio purchased Radio Station
21 KIDD-AM, it had been off the air, and the owners had
22 gone bankrupt. In 1994, we launched a nostalgia music

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1 format, offering a style of music in a formation not
2 previously available in the market. Over the last 9
3 years, KIDD has offered an outlet for local musicians
4 to showcase their music. We have a program which runs
5 every week called "Colony Arts," which features a
6 local musician, music teacher, or music program.

7 We also have a show called "Central Coast
8 Swing," which is dedicated to promoting local
9 musicians, their venues, and their recordings. We
10 have our own local band called "The Magic 63 All-Star
11 Band," which is made up of all local musicians.

12 Throughout the week we will highlight and
13 give air play to local acts, and put on our own summer
14 music festival each year with local musicians. Our
15 annual summer music festival is free to the public.

16 Both KWAV and KIDD feature locally
17 generated newscasts along with CNN and NBC National
18 News, public affairs programming, public service
19 announcements, in addition to our sponsored community
20 events and our music formats. We are heavily involved
21 in our local community, working side by side with non-
22 profits, governmental agencies, city governments, and

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1 government officials to get their message out over the
2 airwaves.

3 The following are just a few of the
4 organizations we are involved in - Children's Miracle
5 Network. Over the last two years, KWAV and KIDD have
6 been responsible for raising over \$160,000 for a local
7 non-profit Children's Miracle Network. But more
8 importantly, letting numerous local organizations get
9 out their message in over 80 hours of live
10 programming. The entire KWAV and KIDD staffs are
11 involved in these kind of efforts.

12 There's an organization, Jazz Masters.
13 Jazz Masters is a music and education program. It's
14 dedicated towards teaching music to the youth in our
15 area. Working closely with Director Bruce Foreman,
16 we're able to get the word out about his events and
17 workshops in our area.

18 Bruce is a frequent live in-studio guest
19 on our stations, and we have assisted him in many of
20 his fundraising efforts, including recent coverage of
21 his trip across the United States called, "Route 66
22 Challenge." Bruce and his band raised money for Jazz

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1 Masters by traveling the original Route 66 and played
2 music along the way to raise funds. We covered his
3 travels live and on our website over a two-week period
4 of time.

5 (Applause.)

6 MS. BAKER: Another sample of another event
7 we're involved in is the City of Monterey's annual
8 Fourth of July celebration. We work hand-in-hand with
9 the city to put on a safe, entertaining Fourth of
10 July. We run public safety tips, as well as recorded
11 and live announcements about the event. We also
12 provide a 20-minute musical synchronized sky concert
13 for the fireworks show for the city. Our on-air staff
14 participate in the day and evening activities.

15 Meals on Wheels, Alliance on Aging, SPCA,
16 City of Seaside, City of Salinas, Monterey Public
17 Library - I could go on, and on, and on. These are
18 organizations that we work with, and also we're
19 involved in all the chamber of commerces, or most of
20 them, to help in our outreach program in the
21 communities to target the needs and interests of our
22 listening audience. We have an active participation

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1 of staff members volunteering their time as an
2 announcer for all kinds of events, and also on the
3 site.

4 I want to thank you for the opportunity to
5 speak here tonight. I understand the Commission's
6 need to reach out into the local communities and get
7 the public's feedback on the job we are doing. I can
8 proudly say I feel we are doing a great job. This is
9 the place I have chosen as my home, and running a
10 business that also supports the local community is the
11 bonus. I'm happy to answer any questions. Thank you
12 very much.

13 COMMISSIONER ABERNATHY: Thank you very
14 much, Ms. Baker, for telling us a lot about what you
15 do here in the local community. We appreciate that.
16 And now we'll turn to Davey D, Disc Jockey.

17 (Applause.)

18 DAVEY D: Just for people who don't know,
19 I've been in radio for close to 15 years, spent 11 of
20 them at probably one of the most influential radio
21 stations in the country, which was KMAO, which was a
22 Clear Channel affiliate. With that being said, a few

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1 things that we need to keep in mind.

2 Radio, generally speaking, is very apt at
3 doing what we call "smoke and mirrors" in the
4 business. That means that we present an image and make
5 it sound good, we're really good at selling things,
6 crunching numbers, and painting this picture that
7 really achieves our end. And the thing that we depend
8 upon, collectively speaking, is the fact that the
9 average person doesn't really know what goes on behind
10 the scenes, the types of manipulation that takes
11 place, all the types of games that are played to
12 really paint this picture.

13 That being said, what happens is, is that
14 this is boosted by the fact that you'll have very few
15 DJs like myself who are in the professional level, who
16 will speak out. Now I think when I spoke in Seattle,
17 I showed my contract which said you can't speak about
18 inner-workings of your station. I had to give up my
19 severance package so I could continue to speak about
20 these sorts of things. So you're not going to find
21 your popular DJ coming to a hearing like this and
22 saying look, these are the things that are going on,

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1 and these are the reasons why they need to be
2 corrected. That usually means that the spokespeople
3 are going to be the managers or the owners, who are
4 going to paint the rosy picture, which you often have
5 to question is it motivated, especially this whole
6 question about localism, is it motivated by an
7 economic agenda, or is it really a sincere, genuine
8 concern about what the local community needs, even if
9 they, as owners, disagree with that. And that's where
10 the real question comes in. So we have to keep that
11 in mind.

12 The other thing that happens is that we
13 forget when we do all this "smoke and mirrors," that
14 all these changes that we're talking about, even if
15 you can find radio stations that show these examples,
16 they're not institutionalized. So yes, we can point
17 all across the country and say this DJ at this
18 station, he showed all the public love for us. Or
19 that radio station, they did a nice thing - they did a
20 concert and all that, but is it institutionalized?
21 What happens if that local DJ, who's doing the favor
22 for y'all, doesn't like you? What happens if the

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1 radio station that owns 12 in the market decides that
2 they don't feel your organization, because you are
3 organizing and doing all this activist work to result
4 in these type of hearings, you might not be on the
5 airwaves, and you won't have access to the public. So
6 you have to have these things institutionalized. It
7 just can't be nice guys doing you a favor. That's a
8 problem.

9 (Applause.)

10 DAVEY D: The other thing that you have to
11 keep in mind, a lot of these cosmetic changes to me
12 are designed to placate people in the halls of power.
13 So in other words, we can paint the picture and say we
14 got the ratings, we got all these things that we're
15 doing, but the problem still stands. I've been to a
16 lot of hearings over the past couple of years. Every
17 time, whether it's in Seattle, San Francisco, here,
18 you name it, the halls are always packed, standing
19 room only. And a lot of people are just really upset,
20 so even if you can present the nice picture, it
21 doesn't eliminate the problem which is evident by you
22 being here, so we have to keep that in mind.

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1 Finally, a couple of other things I would
2 say is that, oftentimes, radio plays this "winner-
3 take- all" mentality. I think the woman down at the
4 end - I forgot your name - mentioned the thing about
5 significant audience. Okay. Let's say 51 percent of
6 the audience agrees with what the stations want. They
7 want more consolidation and all these different
8 things. What about the other 49? Are they just out
9 of luck? Do they have any recourse? Do their issues
10 no longer matter? We're talking about a situation
11 where we live in a country where we're supposed to be
12 able to vigorously debate the issues, vigorously flush
13 these things out and really have an exchange.

14 If it's just a situation where "winner-
15 take-all," and then everybody else we just try to act
16 like they don't exist, and paint this picture like
17 they never even protested, or brought these issues up,
18 we're still going to have the problem.

19 (Applause.)

20 DAVEY D: I'll give you an example. In
21 Detroit, in Chicago, in Cleveland, in Kansas City, in
22 New York, you had community organizations, significant

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1 numbers that have launched boycotts against radio
2 stations. There was the "Turn Off The Radio"
3 campaign, there was the "Black Out Friday" in Detroit,
4 there was the Chicago situation - all these things
5 where you were just looking around and seeing
6 everywhere you go people having the same problems,
7 especially in the urban realm, but none of the radio
8 stations talked about it. You didn't see it on the
9 local news coverage. You didn't see any of these
10 things, so then when you come to a hearing like this
11 and start to mention it, people go well, I never heard
12 this before, which goes back to my first point; that
13 if you can cultivate a learned behavior, condition
14 people just to accept what you continuously feed them,
15 even if it's mediocre, they don't know until you start
16 to point out all the things that have been omitted.

17 You know, for example, Clear Channel in
18 San Francisco after 9/11 put up a dozen posters on all
19 their billboards and had all these public affairs
20 advertisements going on about give to the Clear
21 Channel Fund. Be patriotic. It was only when
22 somebody on the inside like me pointed out and said

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1 hey, did you notice that they didn't tell you about
2 one voter registration campaign, didn't interview one
3 candidate on any of the stations, didn't do any sort
4 of election coverage or encouragement to a community
5 that where you have 70 percent of the people not
6 voting came the March 7th primary after 9/11. And
7 people are looking around and going yeah, you know
8 what - they didn't do that. And so this goes back to
9 the seriousness of this problem.

10 This is not a thing of trying to make
11 ourselves look good if we're media owners or if we're
12 in the media. This is very serious business for a lot
13 of people, very serious business. I feel even trapped
14 because I only have five minutes to explain so much,
15 where there are a whole lot of people who have
16 protested, who have done studies, who have gone back
17 and forth in sending delegations to the stations, and
18 doing all types of things to bring out this type of
19 awareness, and they're not even here to explain
20 themselves, and talk about the organizing and the
21 challenges that they faced, and how every single time
22 they were rebuffed.

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1 If you listen to the radio stations in San
2 Francisco, some of the key things that people are
3 complaining about, local artists not getting played.
4 That was the basis for all the boycotts in the cities
5 I mentioned. Some of the community access that a lot
6 of key organizations, other than one or two that got
7 on the airwaves had, they didn't have access. So now
8 you see some of these cosmetic changes. But what they
9 don't tell you is that it didn't come after all these
10 protests and everything. It only came when another
11 radio station came into town and said we'll fill the
12 void. Then, you can listen to all the local groups,
13 then you can hear all the public service
14 announcements, then that same radio station that was
15 turning away dozens of people at a time and ignoring
16 all these important issues, suddenly they want to be
17 your best friend, and we're supposed to buy into it
18 and say yes, sign on the check and give them whatever
19 they want.

20 This has got to stop. It goes beyond just
21 a few sound bites at a hearing. It goes beyond just a
22 few station owners touting what they can do, giving

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1 anecdotal evidence, and then making everybody think
2 that that's the way it is all across the country.
3 There's serious prices that you pay if you're on the
4 inside of these stations and you speak out against it.
5 You won't find anybody who's working for any of these
6 big major corporations speaking out. At all the
7 hearings we've been at, have you seen any of them? I
8 mean, you've been at these things, you all see it -
9 because you get blackballed in the industry, where
10 it's increasingly getting smaller, and the competition
11 is less and less. So everybody keeps their mouth
12 shut, and then we have this illusion that everything
13 is A-okay.

14 There's so much more I could add. We
15 don't have a whole lot of time. I'll answer
16 questions. I will say one thing, that there was a
17 study that was done, and I'll just conclude with this,
18 because this was something that wasn't covered locally
19 by the TV stations or the radio stations.

20 You had a group of people, mostly twenty-
21 something year olds, those type of people who you say
22 are apathetic, the hip-hop audience that doesn't do

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1 anything except rap and wear fat gold chains, they put
2 together a study after listening and monitoring the
3 local radio stations in their community for a couple
4 of months, came up with a set of recommendations,
5 conclusions, talked about it, put it in the paper,
6 passed it out to everybody. Not only did it not get
7 covered on the local media, but then when these
8 changes that they recommended started to come, the
9 very people who organized were not part of the process
10 when it came time to seating people at the table;
11 which means that there was a punitive action against
12 those who organized. And so people who are getting
13 air play and access now, they're the ones that didn't
14 even organize in the first place, which is a shame, so
15 that you still have the same problem in those very key
16 issues not being addressed. Thanks a lot.

17 COMMISSIONER ABERNATHY: Thank you very
18 much, Davey D, for taking the time and having the
19 courage to come here. You breezed through the clock
20 and I didn't even know it because I was paying such
21 close attention. And I want to thank you again for
22 all your information and what you said. And let's

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1 keep moving, so we can get to the open mic. At this
2 time, I'd like to introduce Ms. Saldivar.

3 MS. SALDIVAR: Yes, after this great
4 speech, I would like to talk about the situation of
5 the Latino population in this country, and how the
6 media doesn't represent us how we are and how we don't
7 have access, and what we should have.

8 (Speaking Spanish)

9 MS. SALDIVAR: I wish to express my
10 gratitude to the Commission for allowing myself and
11 other committee members to submit testimony on the
12 important issue of industry deregulation. My name is
13 Delia Saldivar. I'm a Mexican immigrant and resident
14 of Monterey County, California. I'm the Manager of
15 KHDC-FM, a Latino-controlled public radio station in
16 Salinas, and part of Radio Bilingue, Inc., a statewide
17 network of five full-power FM stations serving
18 California. We're affiliated in California in South
19 Salinas, Mexico and Puerto Rico.

20 We broadcast 24 hours a day and 7 days a
21 week with music and informational programming to
22 benefit our community. We broadcast in Spanish,

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www.nealgross.com

1 Mixteco, Trici (phonetic), Hawaiian, Filipino, Latino
2 and also some English. Some languages are native
3 languages for people who come from other countries to
4 the United States. We are a community-based station
5 and guided by our mission to provide information and
6 access to our community through the radio airwaves.

7 There is a growing need by our diverse
8 community for ethnic controlled media in California
9 and across the United States. Through my comments, I
10 would like to focus on how the Latino community in
11 California and nationwide can use media outlets to
12 address issues such as health in a linguistically and
13 culturally competent way.

14 Currently, one-third, 32 percent, of
15 California's population is Latino. Over two-thirds,
16 70 percent of this population is of Mexican descent,
17 with 45 percent being foreign-born. The Latino
18 population continues to be one of the fastest growing
19 in our state. California's Hispanic origin population
20 is expected to double between 1995 and 2025, and
21 accounts for one-third of the nation's total Hispanic
22 population. By 2025, Hispanics are projected to be

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1 the largest race or ethnic group in California,
2 comprising 43 percent of the population.

3 According to the 2000 census, some
4 California counties are already a majority Latino as
5 in Tulare and Imperial counties. The majority of this
6 population prefers to communicate in Spanish, and
7 refers to Spanish as their language, primary language,
8 and their language of comfort. However, the number of
9 radio outlets, commercial and non-commercials, that
10 are owned or controlled by Mexican-Americans in
11 California is zero, except for radio stations.

12 The radio airwaves should be used to
13 benefit the public and to address pressing issues.
14 One of these issues is health. The level of health
15 disparities in the Latino community is shocking.
16 Currently, 1.2 million Latinos of Mexican ancestry in
17 the United States have been diagnosed with diabetes.
18 Cardiovascular disease is a leading cause of death
19 among Latinos in California and nationwide.

20 A lot stations will broadcast programs and
21 messages to inform our Spanish speaking listeners
22 about ways to get health care for themselves and their

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